

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

IN RE:)
AIR CARGO SHIPPING SERVICES) Master Docket No. 06-MD-1775 (JG)
ANTITRUST LITIGATION) (VVP)
MDL No. 1775)
This Document Relates to:)
ALL ACTIONS)

)

**MOTION TO AMEND PRACTICE AND PROCEDURE ORDER NUMBER 2
TO SUBSTITUTE ATTORNEY HOLLIS L. SALZMAN FOR BARBARA J. HART AS
REPRESENTATIVE OF LABATON SUCHAROW LLP**

The undersigned counsel hereby move the Court for an Order to amend Practice and Procedure Order Number 2 to substitute Hollis L. Salzman, partner at Labaton Sucharow LLP, in place of Barbara J. Hart, former partner of Labaton Sucharow LLP, for the reasons set forth below.

On December 4, 2006, this Court entered Practice and Procedure Order Number 2, which appointed four law firms as Plaintiffs' Co-Lead Counsel, including Barbara J. Hart as representative of the firm Labaton Sucharow LLP ("Labaton"). On or about February 1, 2008, Ms. Hart left Labaton to join another law firm. In light of Ms. Hart's departure from the firm, counsel respectfully request that the Court substitute Ms. Salzman as the representative from Labaton to replace Ms. Hart. Labaton has and will continue to fulfill its responsibilities and obligations to the class as Plaintiffs' Co-Lead Counsel. Ms. Hart supports this substitution.

Ms. Salzman has been intimately involved in the *Air Cargo* litigation since the initial filing of the action at the highest levels on a day-to-day basis, including in court proceedings and

in finalizing the settlement with Lufthansa. She has worked closely and effectively with all of the other Plaintiffs' Co-Lead Counsel and U.S. Indirect Purchaser Counsel in this case. Ms. Salzman is completely familiar with all of the law, facts and issues in the case, and during the last two years has frequently taken a leadership role in various aspects of the litigation.

Ms. Salzman is the appropriate attorney at Labaton to replace Ms. Hart, based on her reputation in the antitrust bar, substantial experience and demonstrated commitment to the case. Ms. Salzman is a partner in Labaton's Antitrust Practice Group, and has been practicing with the firm for over 13 years litigating antitrust class actions. She has been actively involved as co-lead counsel or in leadership positions in major antitrust class actions throughout her career, including most recently *In re Marine Hoses Antitrust Litigation* (S.D. Fla); *In re Abbott Laboratories Norvir Antitrust Litigation* (N.D. Cal.); and *In re New Motor Vehicles Canadian Export Antitrust litigation* (D. Me.). See Exhibit A, Labaton Sucharow Firm Resume, at 16-18.

For all of the aforementioned reasons, counsel respectfully request that the Court amend Practice and Procedure Order Number 2 to designate Hollis L. Salzman as the representative of Labaton Sucharow in its continued capacity as Plaintiffs' Co-Lead Counsel in this litigation.

Dated: April 16, 2008

Respectfully Submitted,

By: /s/ Hollis L. Salzman
Hollis L. Salzman (HS-5994)
Gregory S. Asciolla (GA-2222)
Benjamin D. Bianco (BB-5188)
Morissa R. Falk (MF-2418)
LABATON SUCHAROW LLP
140 Broadway
New York, New York 10005
(212) 907-0700

Plaintiffs' Co-Lead Counsel